

BURLINGTON, N.C.
ZONING ORDINANCE

SECTION 32.3: RESIDENTIAL DISTRICTS (Amendment adopted March 16, 2004)

A. General Regulations for All Residential Districts (Amendment adopted March 16, 2004)

1. Storage of Mobile Homes and Large Vehicles: (Amendment adopted January 15, 1985)

- a. Mobile Homes: Mobile homes shall not be parked or stored in or on any lot in a residential district except as provided in Sections 32.2:R, 32.9 and 32.13. (Amendment adopted June 6, 1989)
- b. Large Vehicles: The parking and/or storage of motorized and non-motorized vehicles in excess of 10,000 pounds gross vehicle weight shall be prohibited in all residential districts except for loading and unloading purposes; for emergency home service; for use in the conduct of a legal non-conforming use; for temporary construction purposes; or for bona fide agricultural purposes. No apparatus designed to be used as a motor vehicle or designed to be towed by a separate motorized unit or vehicle shall be allowed to be used as a storage facility or accessory building in any residential district. Nothing herein shall be construed so as to prohibit the parking and/or storage of personal recreational vehicles including but not limited to motor homes, vans, campers, travel trailers, etc., in residential districts.

2. Storage of Vehicles Without Current License Plates: No more than two automotive vehicles or trailers of any kind without current license plates or that are inoperable shall be parked or stored in any residential district. Such storage of vehicles or trailers shall be in a carport or enclosed building or behind the main building on the lot.

All vehicles existing on the effective date of this section that do not conform to the requirements set forth herein shall be removed or brought into compliance within 12 months from the effective date of this amendment. Upon failure to comply with the requirements of this section, the Building Inspector may take corrective action as provided by Section 32.18 of this ordinance. All vehicles made non-conforming as a result of any amendment to this section shall be removed or brought into compliance within 12 months from the effective date of such amendment. (Amendment adopted June 2, 1992)

3. Visual Clearance at Intersections: On a corner lot, nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of two and one-half and ten feet above the centerline grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines 35 feet from the point of the intersection.
 4. **(Eliminated by amendment adopted March 16, 2004)**
 5. **(Eliminated by amendment adopted March 16, 2004)**
 6. **(Eliminated by amendment adopted March 16, 2004)**
 7. Maximum Lot Coverage: Buildings and accessory buildings within R-30, R-15, R-12, R-9 and R-6 zoning classifications shall observe the following maximum lot coverage requirements:

R-30 and R-15 Residential Districts – 35%

R-12 and R-9 Residential Districts – 40%

R-6 Residential Districts – 45%

Maximum lot coverage requirements shall not apply to townhouse developments or to lots covered by conditional zoning. **(Amendment adopted March 20, 2007)**
 8. Height Limit: No structure shall exceed a height of two stories or 32 feet, except that the Board of Adjustment may issue a Special Use Permit for a building not exceeding three stories or 46 feet.
 9. Off-Street Parking and Loading: Off-street parking, loading and storage space for vehicles shall be provided as required by Section 32.11. No off-street parking or loading areas or vehicle maneuvering areas shall be located in a required front yard or in a required side yard on a corner lot. All such areas shall be treated with all-weather, dust-free material sufficient to prevent dirt, mud and debris from washing or dropping upon streets. **(Amendment adopted February 21, 1995)**
 10. Signs: Signs permitted in residential districts shall be in accord with the specific regulations for residential districts set out in Section 32.12 of this ordinance.
- B. R-30 Single-Family Residential District Regulations: The following regulations shall apply in all R-30 Districts: **(Amendment adopted February 7, 1984)**
1. Permitted Uses: Land shall be used and buildings erected, altered, enlarged or used for one or more of the uses indicated in the R-30 column of the Table of Permitted Uses, Section 32.9, and subject to such conditions as may be referred to in the Special Requirements column of said table.

2. Minimum Lot Area and Width: No building shall be erected, altered, enlarged or used on a lot having less than 30,000 square feet of area and a width of less than 115 feet.

3. Minimum Setbacks: **(Amendment adopted March 16, 2004)**

Front setback - 50 feet

Side setback - 10 feet

Side setback abutting a street - 25 feet

Rear yard setback - 25 feet

- a. No building shall be required to set back a greater distance than the minimum setback as determined for R-30, Residential Districts. Within subdivisions created prior to the enactment of this section of the Zoning Ordinance, no structure shall be required to set back a greater distance than the average setback of the existing residential structures on the same side of the block and fronting thereon within the same block or within a horizontal distance of 500 feet in both directions for areas not divided into blocks.

- C. R-15 Residential District Regulations: The following regulations shall apply in all R-15 Residential Districts:

1. Permitted Uses: Land shall be used and buildings erected, altered, enlarged or used for one or more of the uses indicated in the R-15 column of the Table of Permitted Use, Section 32.9, and subject to such conditions as may be referred in the Special Requirements column of said table.
2. Minimum Lot Area and Width: No building shall be erected, altered, enlarged or used on a lot having less than 15,000 square feet of area and a width of less than 90 feet. Duplexes are required to have 30,000 square feet of area and a minimum lot width of 95 feet. **(Amendment adopted March 16, 2004)**

3. Multifamily Developments in R-15 Districts: Any lot with three or more dwelling units pursuant to Section 32.9 or any condominium/townhouse units developed pursuant to the Unit Ownership Act of North Carolina (NCGS 47C) shall comply with the requirements for multifamily developments in MF-A Districts as given in Section 32.4:B except that the minimum lot area shall be 15,000 square feet for each dwelling unit on the lot, and the height limit shall be three stories or 46 feet. Any other requirements in Section 32.3 that conflict with Sections 32.4:A or 32.4:B shall be disregarded with respect to multifamily developments. **(Amendment adopted December 15, 1998)**

4. Minimum Setbacks: **(Amendment adopted March 16, 2004)**

Front setback - 40 feet

Side setback - 10 feet

Side setback abutting a street - 20 feet

Rear yard setback - 25 feet

- a. No building shall be required to set back a greater distance than the minimum setback as determined for R-15, Residential Districts. Within subdivisions created prior to the enactment of this section of the Zoning Ordinance, no structure shall be required to set back a greater distance than the average setback of the existing residential structures on the same side of the block and fronting thereon within the same block or within a horizontal distance of 500 feet in both directions for areas not divided into blocks.

- D. R-12 Residential District Regulations: The following regulations shall apply in all R-12 Residential Districts: **(Amendment adopted December 18, 1973)**

1. Permitted Uses: Land shall be used and buildings erected, altered, enlarged or used for one or more of the uses indicated in the R-12 column of the Table of Permitted Uses, Section 32.9, and subject to such conditions as may be referred to in the Special Requirements column of said table.
2. Minimum Lot Area and Width: No building shall be erected, altered, enlarged or used on a lot having less than 12,000 square feet of area and a width of less than 80 feet. Duplexes are required to have 24,000 square feet of area and a minimum lot width of 85 feet. **(Amendment adopted March 16, 2004)**

3. Multifamily Developments in R-12 Districts: Any lot with three or more dwelling units pursuant to Section 32.9 or any condominium/townhouse units developed pursuant to the Unit Ownership Act of North Carolina (NCGS 47C) shall comply with the requirements for multifamily developments in MF-A Districts as given in Sections 32.4:A and 32.4:B except that the minimum lot area shall be 12,000 square feet for each dwelling unit on the lot, and the height limit shall be three stories or 46 feet. Any other requirements in Section 32.3 that conflict with Sections 32.4:A or 32.4:B shall be disregarded with respect to multifamily developments. **(Amendment adopted December 15, 1998)**

4. Minimum Setbacks: **(Amendment adopted March 16, 2004)**

Front setback - 40 feet

Side setback - 10 feet

Side setback abutting a street - 20 feet

Rear yard setback - 25 feet

- a. No building shall be required to set back a greater distance than the minimum setback as determined for R-12, Residential Districts. Within subdivisions created prior to the enactment of this section of the Zoning Ordinance, no structure shall be required to set back a greater distance than the average setback of the existing residential structures on the same side of the block and fronting thereon within the same block or within a horizontal distance of 500 feet in both directions for areas not divided into blocks.

E. R-9 Residential District Regulations: The following regulations shall apply in all R-9 Districts:

1. Permitted Uses: Land shall be used and buildings erected, altered, enlarged or used only for one or more of the uses indicated in the R-9 column of the Table of Permitted Uses, Section 32.9, and subject to such conditions as may be referred to in the Special Requirements column of said table.
2. Minimum Lot Area: No building shall be used and buildings erected, altered, enlarged or used on a lot having less than 9,000 square feet of area plus 9,000 square feet of area for each dwelling unit if more than one on the lot.

3. Minimum Lot Width: No building shall be erected, altered, enlarged or used on a lot having less than the following width:
- a. For a single-family dwelling: 75 feet
 - b. For lots with duplexes: 80 feet for two dwelling units
(Amendment adopted March 16, 2004)
 - c. **(Eliminated by amendment adopted March 16, 2004)**
4. Multifamily Development in R-9 Districts: Any lot with three or more dwelling units pursuant to Section 32.9 or any condominium/townhouse units developed pursuant to the Unit Ownership Act of North Carolina (NCGS 47C) shall comply with the requirements for multifamily developments in MF-A Districts as given in Sections 32.4:A and 32.4:B except that the minimum lot area shall be 9,000 square feet for each dwelling unit on the lot, and the height limit shall be three stories or 46 feet. Any other requirements in Section 32.3 that conflict with Sections 32.4:A or 32.4:B shall be disregarded with respect to multifamily developments. **(Amendment adopted December 15, 1998)**
5. Minimum Setbacks: **(Amendment adopted March 16, 2004)**
- Front setback - 30 feet
Side setback - 10 feet
Side setback abutting a street - 15 feet
Rear yard setback - 25 feet
- a. No building shall be required to set back a greater distance than the minimum setback as determined for R-9, Residential Districts. Within subdivisions created prior to the enactment of this section of the Zoning Ordinance, no structure shall be required to set back a greater distance than the average setback of the existing residential structures on the same side of the block and fronting thereon within the same block or within a horizontal distance of 500 feet in both directions for areas not divided into blocks.

- F. R-6 Residential District Regulations: The following regulations shall apply in all R-6 Districts:
1. Permitted Uses: Land shall be used and buildings erected, altered, enlarged or used only for one or more of the uses indicated in the R-6 column of the Table of Permitted Uses, Section 32.9, and subject to such conditions as may be referred to in the Special Requirements column of said table.
 2. Minimum Lot Area: No building shall be erected, altered, enlarged or used on a lot having less than 6,000 square feet of area plus 6,000 square feet of area for each dwelling unit if more than one on the lot.
 3. Minimum Lot Width: No building shall be erected, altered, enlarged or used on a lot having less than the following width:
 - a. For a single-family dwelling: 50 feet
 - b. For lots with duplexes: 55 feet for two dwelling units
(Amendment adopted March 16, 2004)
 - c. **(Eliminated by amendment adopted March 16, 2004)**
 4. Multifamily Developments in R-6 Districts: Any lot with three or more dwelling units pursuant to Section 32.9 or any condominium/townhouse units developed pursuant to the Unit Ownership Act of North Carolina (NCGS 47C) shall comply with the requirements for multifamily developments in MF-A Districts as given in Sections 32.4:A and 32.4:B except that the minimum lot area shall be 6,000 square feet for each dwelling unit on the lot, and the height limit shall be four stories or 56 feet. Any other requirements in Section 32.3 that conflict with Sections 32.4:A or 32.4:B shall be disregarded with respect to multifamily developments. **(Amendment adopted December 15, 1998)**

5. Minimum Setbacks: **(Amendment adopted March 16, 2004)**

Front setback - 25 feet

Side setback - 10 feet

Side setback abutting a street - 12 feet and 6 inches

Rear yard setback - 25 feet

- a. No building shall be required to set back a greater distance than the minimum setback as determined for R-6, Residential Districts. Within subdivisions created prior to the enactment of this section of the Zoning Ordinance, no structure shall be required to set back a greater distance than the average setback of the existing residential structures on the same side of the block and fronting thereon within the same block or within a horizontal distance of 500 feet in both directions for areas not divided into blocks.

G. R-M Residential-Mobile Homes District Regulations: The following regulations shall apply in all R-M Districts: **(Amendment adopted February 16, 1982)**

1. Permitted Uses: Land shall be used and buildings erected, altered, enlarged or used only for the uses indicated in the R-M column of the Table of Permitted Uses, Section 32.9, and subject to such conditions as may be referred to in the Special Requirements column of said table.
2. Minimum Lot Area: No building or mobile home shall be erected, altered, enlarged or used on a lot having less than 9,000 square feet of area except single-family dwellings that shall comply with the requirements of the R-6, Residential District. (See Sections 32.3:A and 32.3:F). Where no public water supply and/or sewage system exists, no permit required by any ordinance of the City of Burlington shall be issued unless and until a permit shall have been granted by the Alamance County Health Department for the installation of a private water supply and/or sewage disposal system. Such permit shall specify the lot approved and shall indicate the lot size and all conditions and requirements for the permitted system and shall be presented to the Chief Building Inspector of the City of Burlington. **(Amendment adopted May 17, 1994)**
3. Minimum Lot Width: No building or mobile home shall be erected, altered, enlarged, installed or used on a lot having a width of less than 90 feet at the front building line except single-family dwellings that shall comply with the requirements of the R-6, Residential District. (See Sections 32.3:A and 32.3:F. **(Amendment adopted May 17, 1994)**

4. Only a single-family house or mobile home shall be placed on a lot. A single-family house or mobile home shall not be placed on a lot containing another mobile home, dwelling unit of any type whatsoever or other principal use including non-conforming uses.
5. Every mobile home that is located in a R-M Residential-Mobile Home District shall be located on the lot with the long dimension of the mobile home parallel to the street right-of-way on which the lot fronts.
6. Mobile home parks in R-M, Residential-Mobile Home Districts, shall be governed by the provisions of Section 32.13:I. **(Amendment adopted March 16, 2004)**
7. Minimum Setbacks: **(Amendment adopted March 16, 2004)**

Front setback - 30 feet

Side setback - 10 feet

Side setback abutting a street - 20 feet

Rear yard setback - 25 feet

- a. No building shall be required to set back a greater distance than the minimum setback as determined for R-M, Residential Districts. Within subdivisions created prior to the enactment of this section of the Zoning Ordinance, no structure shall be required to set back a greater distance than the average setback of the existing residential structures on the same side of the block and fronting thereon within the same block or within a horizontal distance of 500 feet in both directions for areas not divided into blocks.